

REMARKS

The Notice of Allowability included an Examiner's Amendment. However, it is respectfully submitted that the Examiner's Amendment is unclear.

More specifically, as indicated in the Notice of Allowability, Examiner Holmes and Attorney Kravetz agreed via a telephone conversation on December 20, 2005, to amend claim 1 to insert the words "using the refined strategies". Therefore, on pages 2-3 of the Notice of Allowability, the Examiner listed claim 1, with the words "using the refined strategies" inserted into a portion of the claim.

However, it is respectfully submitted that the Examiner inserted the words into the wrong portion of claim 1. As a result, it is respectfully submitted that claim 1 does not read properly. For example, there is no antecedent basis for "the refined strategies" in claim 1 as listed in the Examiner's Amendment. Moreover, it is respectfully submitted that the Examiner's Amendment does not properly use "strikethrough" to delete words, and "underlining" to insert words. As a result of these matters, it is respectfully submitted that the Examiner's Amendment is improper and unclear.

Therefore, this Amendment is submitted the amend claim 1 from the claim as originally filed. It is respectfully submitted that the amendment to claim 1 as written herein conforms to the telephone discussion between Examiner Holmes and Attorney Kravetz on December 20, 2005.

* * *

Moreover, items 1 and 2 on page 2 of the Notice of Allowability indicate that claims 1-20 have been canceled, and that claims 21-51 are allowed. It is respectfully submitted that this indication of the status of the claims is incorrect. For example, only claims 1-16 have ever been pending in this application. Claims 1-16 are now allowed, as correctly indicated in item 2 on Form PTOL-37 of the Notice of Allowability.

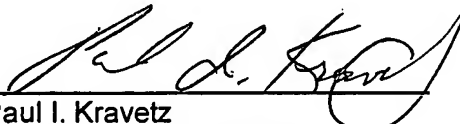
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In view of the above, it is respectfully requested that the Examiner mail a Supplemental Notice of Allowability which (a) enters the amendment to claim 1 as presented herein, and (b) indicates that claims 1-16 are pending and allowed.

Respectfully submitted,

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